

Sean Jelen v. Lenisha Williams et al

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U.S. DISTRICT COURT
DISTRICT OF MASS.

Sean Jelen

75353067 JB

FMC Revere

Po Box 879

Ayer, MA 01432

October 17, 2020

Clerk of Court

United States District Court

1- Courthouse Way

Boston, MA 02210

RE: JELEN v. WILLIAMS ET AL

EMERGENCY RULE 65, F.R.C.P. Temporary RESTRAINING ORDER / PRELIMINARY INJUNCTIVE RELIEF COMPLAINT

1- The petitioner is Sean Jelen, prose. clam presently an inmate at Federal Medical Center, 42- Patten Rd., Revere, MA 01434. I've been continuously incarcerated at FMC Revere since approximately March 1, 2018, and am expecting an imminent release pursuant to the Director of the Federal Bureau of Prisons's jurisdiction under the C.A.R.E.S. ACT.

2- The defendant, Lenisha Williams, is an attorney licensed in the State of New York. Despite multiple complaints that claimant have been filed against her law license (Discipline Committee, Appellate Division - Supreme Court, 1045- 45 Monroe St. Brooklyn, NY 11201), Ms. Williams, upon information and belief, remains practicing law

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through the Law Office of Donald Mastrodomenico,
107-19 71st Avenue, Forest Hills, NY 11375, Queens
County, New York State.

3- The Law offices of Donald Mastrodomenico P.C.
is a New York State Professional Corporation, which
employs Defendant Williams and is located at
107-19 71st Avenue, Forest Hills, NY 11375.

JURISDICTION

4- This Court has absolute jurisdiction over this
instant dispute pursuant to its administration
of 28 C.F.R. § 540.10-18, because the offending actions
taken against this Petitioner occurred while he has
been incarcerated at Federal Medical Center - Denvers
and those actions by Defendants are contrary to the
cited federal law, all occurred in the District of Mass.

5- This Court has the power to grant the relief requested
pursuant to Rule 65 of the Federal Rules of Civil
Procedure

COMPLAINT

6- Beginning in 2018, the Petitioner has been engaged
in a civil dispute in which the Defendants
are the latest attorney hired, in 2018, by the
opposing party.

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7- Almost immediately, and escalating in frequency and audacity, Defendant Williams has ignored and abused the inmate legal mail protections afforded by 28 CFR § 540.18. Specifically:
c/n order for incoming legal mail to be segregated from general inmate mail, the permitted party (afforded by 28 CFR § 540.17) must comply with the provisions of 28 CFR § 540.18.

8- c/n this instant matter, Defendant Williams would simply:
1) List the parcel's return address as:
"FENISHA WILLIAMS, ATTORNEY AT LAW"
"LAW OFFICES OF DOMINGO MAXIMO DOMESTICO"
"107-19 - 71ST Ave."
"Forest Hills, NY 11375"
2) List the sender as:
"Sean Jelen"
"75353067 JB"
"Inmate Legal Mail / Open in the"
"Presence of the Inmate Only"
"Federal Medical Center - Queens"
"PO Box 879"
"Ayer, MA 01482"

9- As Mr. Williams has been tirelessly advised, if these procedures are complied with, the package would be routed to my Unit Secretary, return

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9) opens the package in my presence, checks the package for contraband, and if satisfied, delivers the package to me.

10) Ms. Williams, however, not only ignores the warning clue provided her pursuant to 28 CFR § 540.19, but Ms. Williams goes further by dispirably including contraband documents, if not for any other reason but to subject me to disciplinary actions.

11- Ms. Williams has been instructed, pursuant to the requirements set forth in 28 CFR § 540.18, to mail documents via legal mail by me during pre-trial conference calls in or about August 9, 2019, November 11, 2019 and by no less than 7 emails from June 1, 2019 to December 31, 2019, and an additional 4, from September 30, 2020 to October 15, 2020.

12- The most significant warning Ms. Williams' received was during an pre-trial conference with New York State Supreme Court Justice M. Persi-McGowan administering her, and instructing Ms. Williams to comply, however without order because she couldn't order compliance with a Federal Code at the time.

13- The purpose of the compliance is two-fold: To prevent the distribution of my personal financial documents, assets listings, income sources,

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 properties owned and personal identifying information
 from falling into the distribution of the prison's
 general population's mail system. As has happened
 in July 2019, when Mr. Williams mailed hundreds of
 pages listing my real estate property holdings, my
 fine jewelry collection, debts, bank accounts,
 ignoring the 28 CFR § 540.18 requirements, and I
 found over 100 fellow inmates exposed to
 documents such as my home's appraisal, my wife's
 engagement rings appraisal, my net worth
 statements, all of which inevitably, but
 dangerously exposing me to any sort of criminal
 blackmail, extortion etc.

14- Moreover, Mr. Williams began purposefully
 violating federal law by including documents
 which are prohibited to be, not only in my
 possession, but in Mrs. Williams' possession as
 well.

In yet another mailing in which Mrs. Williams
 maliciously ignored 28 CFR § 540.18 and my instructions
 and that of other 3rd parties, she incredibly took
 the step of, somehow possessing, but mailing me
 a copy of my United States Probation Presentence
 Report. (PSR)

15- For reasons federal judges and competent
 attorneys are aware, the Federal Bureau of
 Prisons prohibits inmate possession of the PSR

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for reasons to prevent inmate disruption,
extortion and danger.

Upon my discovery of the PSD, unsequenced with
all other inmate documents, I immediately
turned it over to Counselor _____, FMC Camp.
The same day in February 2020.

16- Despite all the warnings, Ms. Williams has
no intention of complying with Federal Regulations
to ensure my safety and security, and when
has escalated her threat recently.

17- On October 14, 2020, several of FMC Devens
Executive Staff revealed to me that Ms. Williams,
having changed tactics, began emailing them about
sending in, you guessed it, contraband.

18- Shortly after the P.S.R. mailings, ~~for~~ Ms.
Williams' mailings were more thoroughly
reviewed by FBO Devens Mail Room officers,
when in June 2020 and July 2020, outright
rejected two large document boxes that were
unexpected. An occurrence under 28 CFR § ^{540.13} ~~43~~,
FMC Devens Warden Rear Admiral Spaulding
rejected the parcels for "failure to comply with
legal mail requirements," in writing.

19- Despite my complaints of the dangers Ms.
Williams is, my mechanism to resolve or prohibit

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her unfiltered contact is very limited.

20- During the emails exchanged by Ms. Williams and Adams staff, it was made clear to me that Ms. Williams is attempting, or has attempted, to introduce contraband electronic media, since her mailings have begun to be thoroughly examined and/or rejected. At no time did I request any documents, but I most certainly reject any notion that I requested any electronic media.

21- Accordingly, after speaking with Executive Staff at Lunch on October 14, 2020, I was advised to notify Ms. Williams not to send anything electronic (apparently a CD-Rom), and to reply within 24 hours, with a copy to her client.

22- Now more than 72 hours later, no reply has forthcome.

23- I request that the Court enter a Temporary Order prohibiting the Defendants from dictating any material to ~~me~~ the Petitioner unless the material complies with B.O.P. regulation and 28 CFR § 540.18.

24- There is no other relief available to effectively restrain the Defendants' abuse referenced & irreparable damage:

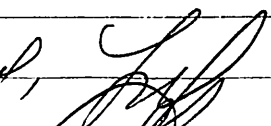
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24a- No action filed within the jurisdiction of the Bureau of Prisons Administrative Remedy Program would timely or sufficiently restrain the Defendants from repeatedly harassing this Petitioner by submitting sensitive, prohibited and privileged documents through known-unsecured channel when an alternative remains available.

24b- No other Court enjoys jurisdiction over this matter because it involves the implementation of Federal Regulation at a Department of Justice operated facility.

25- The legal mail procedures explained in 28 CFR 540.17 have been implemented exclusively to protect the document's trust to it from unnecessary and unwanted 3rd party distribution including black staff at BOP facilities and the general inmate population. Therefore, the very implementation of the Regulation was to provide the same securities in which I seek protection under this Motion against the Defendants.

26- The Defendants have repeatedly violated not just the rules on mailing Legal Mail, but have the reputation as one of the most unethical law groups in the New York Metropolitan area.

Respectfully Submitted, 
SEAN JELEN